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Date of Deposit: May 11, 2007

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HOFFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Andreas Schroter et al.

Appln. No.: 10/622,024

Filed: July 17, 2003

For: SCALE AND METHOD FOR PRODUCING  
THIS SCALE AND POSITION  
MEASURING SYSTEM EMPLOYING  
SUCH A SCALE

Examiner: Schindler, David M.

Art Unit: 2862

Attorney Docket No: 56/408

Mail Stop Issue Fee  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Resubmission of Information Disclosure Statement, Copy of Transmittal Letter, Information Disclosure Statement and PTO Form 1449 Filed on November 17, 2003, Copy of Stamped Postcard dated November 19, 2003, Copy of EP 0715151 B1.
- ☒ Return Receipt Postcard.

## Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

May 11, 2007

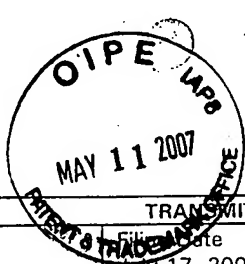
Date

John C. Freeman, Esq. (Reg. No. 34,483)

BRINKS HOFFER GILSON &amp; LIONE

NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

BRINKS  
HOFFER  
GILSON  
& LIONE



TRANSMITTAL LETTER		Case No. 56/408
Serial No. 10/622,024	Filing Date July 17, 2003	Examiner To Be Assigned
Inventor(s) Andreas Schroter et al.		
Title of Invention SCALE AND METHOD FOR PRODUCING THIS SCALE AND POSITION MEASURING SYSTEM EMPLOYING SUCH SCALE		

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in dup.); Information Disclosure Statement (in dup.); PTO Form 1449; Two (2) Cited References; and White Acknowledgment Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 43 =	
+ \$145 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$86 =	
+ \$290 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

John C. Freeman  
Registration No. 34,483  
Attorney for Applicant  
Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 17, 2003.

Date: November 17, 2003

Signature:

"Express Mail" mailing label number EV 964288037 US

Date of Deposit: May 11, 2007



PATENT  
CASE NO. 56/408

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
 )  
Andreas Schroter et al. )  
 ) Group Art Unit: 2862  
Serial No.: 10/622,024 )  
 ) Examiner: Schindler, David M.  
Filed: July 17, 2003 )  
 )  
For: SCALE AND METHOD FOR )  
PRODUCING THIS SCALE AND )  
POSITION MEASURING SYSTEM) )  
EMPLOYING SUCH SCALE )

**RESUBMISSION OF INFORMATION DISCLOSURE STATEMENT**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

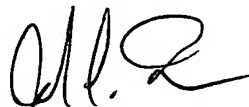
Sir:

On April 4, 2007, a Notice of Allowance was mailed regarding the above mentioned patent application. Upon reviewing his file regarding the application, the undersigned noticed that there was no record that Applicants' Information Disclosure Statement filed on November 17, 2003 and the art cited therein were made of record. A review of the U.S. Patent Office's PAIR system further indicated that the Information Disclosure Statement was not entered and so was not received by the U.S. Patent Office. A review of the undersigned's records indicates that the U.S. Patent Office did receive the Information Disclosure Statement and the cited references on November 19, 2003 as evidenced by the attached copy of the return postcard. It is apparent

that the U.S. Patent Office lost the Information Disclosure Statement and the cited references. Accordingly, Applicants are resubmitting the Information Disclosure Statement with this paper by presenting copies of the transmittal letter, Information Disclosure Statement, 1449 Form as filed on November 17, 2003. Applicants are also submitting a copy of the cited European patent publication only since the rules of the U.S. Patent Office do not require copies of cited U.S. patents.

Please consider the resubmitted Information Disclosure Statement and the cited references by initialing the attached 1449 Form.

Respectfully submitted,



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John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

Dated: May 11, 2007



Case No. 56/408  
Applicant Schroter et al

Director of The United States Patent & Trademark Office  
Washi

Serial No. 10/622,024  
Applicant: ANDREAS SCHROTER  
Client/Matter No.: 56/408  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Please



Please acknowledge receipt of the below identified:  
Items Mailed: Transmittal Letter (in dup.); Information Disclosure  
Statement (in dup.); PTO Form 1449; Two (2) Cited References; and White  
Acknowledgment Postcard.

BRINKS HOFER GILSON & LIONE  
By: John C. Freeman, Reg. No. 34,483  
Date of Mailing: November 17, 2003



FORM PTO 1449	SERIAL NO. 10/622,024	CASE NO. 56/408
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE July 17, 2003	GROUP ART UNIT 2862
(use several sheets if necessary)		APPLICANT(S): Andreas Schroter et al.

REFERENCE DESIGNATION		U.S. PATENT DOCUMENTS				
EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,734,266	03/31/98	Spies		

FOREIGN PATENT DOCUMENTS						
EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A2	0 715 151 B1	04/16/97	EP		Yes

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS	
	<small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	None	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.